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APR 21 2005

**COMPLAINT OF INDIANA BELL TELEPHONE
COMPANY, INCORPORATED D/B/A SBC
INDIANA FOR EXPEDITED REVIEW OF A
DISPUTE WITH CERTAIN CLECS REGARDING
ADOPTION OF AN AMENDMENT TO
COMMISSION APPROVED
INTERCONNECTION AGREEMENTS**

INDIANA UTILITY
REGULATORY COMMISSION
CAUSE NO. 42749

You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

On November 9, 2004, Indiana Bell Telephone Company, Incorporated d/b/a SBC Indiana ("SBC Indiana") filed a Complaint with the Indiana Utility Regulatory Commission ("Commission") against certain competitive local exchange carrier ("CLEC") Respondents that have currently effective interconnection agreements with SBC Indiana. In substance, the Complaint seeks an Order by the Commission approving a proposed amendment to the interconnection agreements between SBC Indiana and Respondents that, according to SBC Indiana, would cause these interconnection agreements, which are currently not in conformance with applicable federal law, to conform to recent changes in governing federal law.

On December 2, 2004, MCI WorldCom Communications, Inc., MCImetro Access Transmission Services, LLC, and Intermedia Communications, Inc. (collectively "MCI"), along with fifteen other CLEC Respondents, filed a Motion to Dismiss SBC Indiana's Complaint. That Motion to Dismiss was denied in an Entry dated January 21, 2005.

Following the granting of a Motion for enlargement of time to answer the Complaint, MCI filed its Answer along with a second Motion to Dismiss on February 2, 2005. MCI's second Motion to Dismiss SBC Indiana's Complaint ("Motion") is the subject of this Entry.

On February 11, 2005, SBC Indiana filed a Response to the Motion, and MCI filed a Reply on February 17, 2005.

The Motion is similar to MCI's first Motion to Dismiss in that both motions rely on the claim that SBC Indiana has failed to follow the change of law procedures established in the relevant interconnection agreements as the basis for asserting either that the Commission lacks jurisdiction to hear the Complaint or that SBC Indiana has failed to state a claim upon which relief can be granted. Because of this similarity, and because

our January 21, 2005 Entry included detailed discussions that have applicability to the ruling herein, we hereby incorporate that January 21, 2005 Entry, as appropriate, into this Entry. The Motion states it is distinguishable from the first Motion to Dismiss in that the Motion focuses on the MCI-specific reasons that the Complaint should be dismissed.

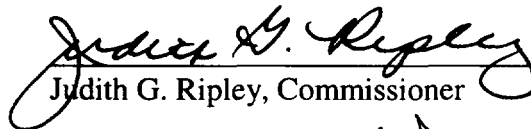
Our January 21, 2005 Entry found:

SBC Indiana's Complaint alleges that it has properly invoked the relevant interconnection provisions to effect a change of law amendment; that the Respondents have refused to engage SBC Indiana in addressing these provisions; and that Commission intervention is now appropriate. Viewing its allegations in a light most favorable to SBC Indiana, we conclude that there could be a set of facts under which SBC Indiana would be entitled to relief. Only by examining the specific, relevant provisions of the individual interconnection agreements and the parties' actions (or inaction) with respect to those provisions, as well as the reasoning behind any action or inaction, can we determine if SBC Indiana is entitled to relief in the form of a Commission order to amend an interconnection agreement.

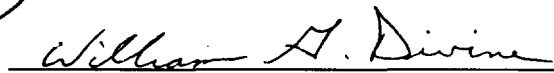
By this language we determined that the Complaint was sufficient to withstand assertions that the Complaint should be dismissed for failure to follow interconnection agreement change of law procedures. The subsequent review process the above language describes is one that has moved beyond determining the sufficiency of the Complaint and contemplates full presentation of the parties' evidence. MCI's Motion provides additional, specific information that SBC Indiana did not follow the change of law procedures found in its interconnection agreement with MCI. But it is still the sufficiency of the Complaint that is at issue with respect to the Motion, not the sufficiency of MCI's evidence. Therefore, additional, specific information presented by MCI for the same purpose of showing SBC Indiana's failure to follow interconnection agreement change of law procedures does not change the determination with respect to the sufficiency of the Complaint.

MCI's Motion to Dismiss, filed February 2, 2005, is denied.

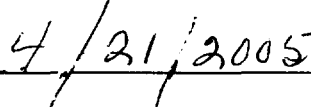
IT IS SO ORDERED.



Judith G. Ripley, Commissioner



William G. Divine, Administrative Law Judge



Date